

**CITY OF KERRVILLE, TEXAS
PLANNING AND ZONING COMMISSION**

April 5, 2018

Members Present:

Garrett Harmon, Vice-Chair
Don Barnett, Commissioner
Michael Sigerman, Commissioner
Rustin Zuber, Commissioner
David Jones, Alternate, *sitting in for Cmr. Bob Waller*

Members Absent:

Bob Waller, Chair
Marty Lenard, Alternate

City Executive Staff Present:

Sabine Kuenzel, Chief Planning Officer
Drew Paxton, Executive Director of Development Services
Mike Hayes, City Attorney
Kyle Burow, Director of Engineering
Dorothy Miller, Recording Secretary

CALL TO ORDER:

On April 5, 2018, Cmr. Harmon called the Kerrville Planning and Zoning Commission regular meeting to order at 4:31 p.m. in the City Hall Council Chambers, 701 Main Street, Kerrville, Texas.

1. VISITORS/CITIZENS FORUM:

Any person with business not scheduled on the agenda is encouraged to briefly speak their ideas to the Commission. Please fill out the SPEAKER REQUEST FORM and give it to the Commissioner's Secretary prior to the meeting. The number of speakers will be limited to the first ten speakers and each speaker is limited to three minutes. (No formal action can be taken on these items as the Open Meetings Act requires formal action items to be posted on an agenda no later than 72 hours before the meeting. If formal action is required, the items will be placed on an agenda for a future meeting.)

2. CONSENT AGENDA:

All items listed below in the consent agenda are considered routine or ministerial in nature and will be enacted with one motion. There will be no separate discussion of items unless a Commissioner or citizen so requests; in which case the item(s) will be removed from the consent agenda and considered separately.

2A. Approval of minutes for the February 15, 2018 meeting.

Cmr. Sigerman moved to approve the minutes as amended. Cmr. Barnett seconded, and the motion passed 5-0.

2B. Approval of minutes for the March 1, 2018 meeting.

Cmr. Barnett moved to approve the minutes as presented. Cmr. Zuber seconded, and the motion passed 5-0.

3. PUBLIC HEARING, CONSIDERATION & ACTION

3A. Public Hearing, Consideration & Action on a Recommendation to City Council, Annexation & Zoning – Public Hearing, Annexation and Zoning - Public hearing concerning a request for the City of Kerrville to annex into its incorporated limits and consider a zoning classification of Planned Development District (PDD) Residential, for an approximately 5.331 acre tract of land generally located southeast of Comanche Hills Drive, between Comanche. The subject tract being more particularly described as located in the William Watt Survey No. 65, Abstract No. 364 of Kerr County, Texas and being part of that certain called 1131.78 acre tract recorded in Volume 971, Page 698, Real Property Records of Kerr County, Texas. (File No. 2018-014)

Ms. Kuenzel presented the facts and asked Commissioners to render a decision.

Staff and Commissioners discussed which zoning districts should allow parking lots by right or have to go through the conditional use permit process.

Cmr. Harmon opened the public hearing at 4:37 p.m. Hearing no one speak, Cmr. Harmon closed the public hearing at 4:38 p.m.

Cmr. Sigerman moved to recommend to City Council approval of the annexation and zoning as presented. Cmr. Jones seconded, and the motion passed 5-0.

3B. Public Hearing & Action on a Recommendation to City Council, Text Amendment – Public hearing, consideration and action concerning a text amendment adding conditional use permit regulations for parking lots to Chapter 1, Article 11-1-3, “Definitions and Interpretation of Words and Phrases”, Article 11-1-5 “Zoning Districts – West Side ” by adding parking lots to permitted and conditional uses in certain districts, Article 11-1-6 “Zoning Districts – Central City ” by adding parking lots to permitted and conditional uses in certain districts, Article 11-1-7 “Zoning Districts.– North Side ” by adding parking lots to permitted and conditional uses in certain districts, Article 11-1-8 “Zoning Districts – East Side ” by adding parking lots to permitted and conditional uses in certain districts, Article 11-1-9 “Zoning Districts – South Side ” by adding parking lots to permitted and conditional uses in certain districts, Article 11-1-9 Article 11-1-10 “Residential Zoning Districts” by adding parking lots to permitted and conditional uses, Article 11-1-12 “Miscellaneous Zoning Districts ” by adding parking lots to permitted and conditional uses in certain districts, and Article 11-1-13 “Conditional Use Permits” of the City of Kerrville Zoning Code. (File No. 2018-008)

Ms. Kuenzel presented the facts and asked Commissioners to render a decision.

Cmr. Harmon opened the public hearing at 5:15 p.m.

Ms. Mary Lee Stewart spoke and stated she was present to oppose the text amendment. Approval would open the way for Mr. Motheral to apply for a parking lot behind his shopping center on Sidney Baker Street, effecting residence residing on Clay Street, which is primarily a residential area. Opening the area up will make the 800 block of Clay Street much more opened to becoming business-like. At a recent city council meeting, Mr. Baroody spoke about how once a hole is punched in the Clay Street versus Sidney Baker Street invisible wall it will open the way for this small area to become just as commercial as Sidney Baker Street. The proposed parking lot would be 200 feet from Ms. Stewart’s property and she asked shouldn’t the city protect her, too? She resides in an R1 (residential) zoning district and doesn’t see why she should have to live with a parking lot and its trash, varmints, dumpsters, etc. The area has been satisfactory with an RT zoning district and Ms. Stewart doesn’t feel she should have to fight this. She stated she believes Kerrville 2050 is supposed to be finalized in June so this is a big rush deal from the Soaring Dragon Restaurant to Clay Street to try to get this under the line before it is over and done with and she hates to see us sacrifice a small in-town neighborhood just because one person is in a hurry. Ms. Stewart said they used to have wagon yards for these things, not in residential areas.

Ms. Teresa Ayala spoke, opposing the possibility of a parking lot in her neighborhood, having traffic coming from Clay Street around to Quinlan Street. Ms. Ayala referred to a potential driveway that would come from Clay Street down an alley way behind her garage and exit onto Quinlan Street, which she feels is not right.

Mr. Larry Eskridge spoke on behalf of himself and also Wayne Franklin who was currently out of state. Mr. Eskridge stated some of what he heard today was very positive and he would like to see this continue with specific restrictions and possibilities and thought Cmr. Sigerman had mentioned some of those. Mr. Eskridge hopes that once this is done does fit in to the Kerrville 2050 plan and that this is not a back door approach to slighting something in. The things that were expressed today about concerns for traffic, trash, lighting, noise, etc. would affect the contiguous houses in that neighborhood. That would be unsatisfactory and be unfortunate for these ladies.

Mr. David Lipscomb spoke, saying a residential parking lot, in his view, is a void in an urban setting and unfortunately one of the most visible elements in the streetscape. Adding parking lots can have an impact both on a neighborhood and the environment. Therefore parking lots need guidance to become good neighbors. Mr. Lipscomb requested the following be considered for code implementation for parking lots should they be approved in residential districts:

- Screening – Require screening along the street in front of residential parking lots. Plants should screen adequately but allow autos to exit with full view of sidewalk and/or street.
- Buffers – A buffer of plants to extend along all the edges of a residential parking lot when a parking lot meets a residential lot line. To provide a continuous screen of landscape buffer of six feet in width and six feet in height.
- Interior parking lot landscaping – Provide additional landscaping within the interior of the parking area. Landscape cover some percentage of the lot, say ten percent or more, including walkways, parking spaces, driveways.
- Plant installation and maintenance – Plants should be of adequate size to screen at the time of planting. Plants must be cared for to ensure their survival and plants that do not survive should be replaced to maintain the landscape. Plant selection should be among the city's approved list or the materials selected by a landscape architect and approved.
- ADA and compact parking spaces – Handicap spaces provided in accordance with federal regulations. Size and numbers of such spaces should be in agreement with the city and located as close as possible to building entrances.
- Lighting – Lighting should be mounted to illuminate the parking lot through the night, but comply with city codes regarding to the lighting levels and the lights should be focused to prevent glare on surrounding properties.
- Storm water – Owner's parking lot should implement a plan to manage the storm waters within the lines of the property. Plans would ensure that each parking lot includes a catch basin and drainage to accommodate the runoff. Special consideration might be required on larger lots or areas with environment restrictions.
- Trash containers – When parking lots are also sites for trash collection containers those sites must be screened on all sides with solid materials at a height to block the view of the trash container. Parking lots adjacent to residential properties should have those trash containers screens located away from adjacent properties to reduce noise during collection.
- Maintain clean space – Owners should be responsible for cleaning parking lots on a regular basis to ensure not only an attractive scene but one that does not encourage rodent feeding.
- An exception to landscaping – Landscaping should be required around parking lots in residential districts. However, walls or stake fencing could be appropriate in certain zoning districts. While the construction might be an additional expense, over time those costs could be significantly reduced for maintenance.

Hearing no one else speak, Cmr. Harmon closed the public hearing at 5:27 p.m.

Cmr. Barnett moved to table this item and hold a workshop to allow Commissioners to go through each zoning district one by one. Cmr. Sigerman seconded, and the motion passed 5-0.

4. PUBLIC HEARINGS AND FINAL ACTION

4A. **Public Hearing & Action, Replat** – Public Hearing & Action, Replat – Public hearing, consideration, and action concerning a request for replat and amending plat of 7.89 acres of land, more or less, out of Florentine Lara Survey No. 123, Abstract no. 225 in the City of Kerrville, Kerr County, Texas, comprising all of Lots 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 148, and 153, and part of Lot 154 of The Meridian Subdivision, a subdivision of Kerr County, according to the plat of record in volume 7 at pages 88+81 of the plat records of Kerr County, Texas. (File No. 2017-084)

Mr. Paxton presented the facts and asked Commissioners to render a decision.

Comr. Harmon opened the public hearing at 5:36 p.m. Hearing no one speak, Comr. Harmon closed the public hearing at 5:37 p.m.

Comr. Zuber moved to approve the replat as presented. Comr. Sigerman seconded, and the motion passed 5-0.

5. STAFF REPORT:

Mr. Paxton stated

6. ADJOURNMENT

Comr. Jones moved to adjourn, Comr. Zuber seconded, and the motion passed 5-0. The meeting was adjourned at 5:43 p.m.

APPROVED:


Robert Waller, Chair


Dorothy Miller, Recording Secretary

4-19-18

Date Minutes Approved